

# EXTENSIONS OF REMARKS

## POCKET-VETO POWER

**HON. J. DENNIS HASTERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. HASTERT. Mr. Speaker, I submit for the RECORD a copy of a letter signed jointly by myself and the Democratic Leader, Mr. Gephardt. It is addressed to President Clinton. In it, we express our views on the limits of the "pocket-veto" power. I also submit a copy of the letter referenced therein, which was sent to President Bush on November 21, 1989, by Speaker Foley and Republican Leader Michel.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, September 7, 2000.*

Hon. WILLIAM J. CLINTON,  
*The President, The White House, Washington, DC.*

DEAR MR. PRESIDENT: This is in response to your actions on H.R. 4810, the Marriage Tax Relief Reconciliation Act of 2000, and H.R. 8, the Death Tax Elimination Act of 2000. On August 5, 2000, you returned H.R. 4810 to the House of Representatives without your approval and with a message stating your objections to its enactment. On August 31, 2000, you returned H.R. 8 to the House of Representatives without your approval and with a message stating your objections to its enactment. In addition, however, in both cases you included near the end of your message the following:

Since the adjournment of the Congress has prevented my return of [the respective bill] within the meaning of Article I, section 7, clause 2 of the Constitution, my withholding of approval from the bill precludes its becoming law. The Pocket Veto Case, 279 U.S. 655 (1929). In addition to withholding my signature and thereby invoking my constitutional power to "pocket veto" bills during an adjournment of the Congress, to avoid litigation, I am also sending [the respective bill] to the House of Representatives with my objections, to leave no possible doubt that I have vetoed the measure.

President Bush similarly asserted a pocket-veto authority during an intersession adjournment with respect to H.R. 2712 of the 101st Congress but, by nevertheless returning the enrollment, similarly permitted the Congress to reconsider it in light of his objections, as contemplated by the Constitution. Your allusion to the existence of a pocket-veto power during even an intrasession adjournment continues to be most troubling. We find that assertion to be inconsistent with the return-veto that it accompanies. We also find that assertion to be inconsistent with your previous use of the return-veto under similar circumstances but without similar dictum concerning the pocket-veto. On January 9, 1996, you stated your disapproval of H.R. 4 of the 104th Congress and, on January 10, 1996—the tenth Constitutional day after its presentment—returned the bill to the Clerk of the House. At the time, the House stood adjourned to a date certain 12 days hence. Your message included no dictum concerning the pocket-veto.

We enclose a copy of a letter dated November 21, 1989, from Speaker Foley and Minority Leader Michel to President Bush. That

letter expressed the profound concern of the bipartisan leaderships over the assertion of a pocket veto during an intrasession adjournment. That letter states in pertinent part that "[s]uccessive Presidential administrations since 1974 have, in accommodation of Kennedy v. Sampson, exercised the veto power during intrasession adjournments only by messages returning measures to the Congress." It also states our belief that it is not "constructive to resurrect constitutional controversies long considered as settled, especially without notice or consultation." The Congress, on numerous occasions, has reinforced the stance taken in that letter by including in certain resolutions of adjournment language affirming to the President the absence of "pocket veto" authority during adjournments between its first and second sessions. The House and the Senate continue to designate the Clerk of the House and the Secretary of the Senate, respectively, as their agents to receive messages from the President during periods of adjournment. Clause 2(h) of rule II, Rules of the House of Representatives; House Resolution 5, 106th Congress, January 6, 1999; the standing order of the Senate of January 6, 1999. In Kennedy v. Sampson, 511 F.2d 430 (D.C. Cir. 1974), the court held that the "pocket veto" is not constitutionally available during an intrasession adjournment of the Congress if a congressional agent is appointed to receive veto messages from the President during such adjournment.

On these premises we find your assertion of a pocket veto power during an intrasession adjournment extremely troublesome. Such assertions should be avoided, in appropriate deference to such judicial resolution of the question as has been possible within the bounds of justifiability.

Meanwhile, citing the precedent of January 23, 1990, relating to H.R. 2712 of the 101st Congress, the House yesterday treated both H.R. 4810 and H.R. 8 as having been returned to the originating House, their respective returns not having been prevented by an adjournment within the meaning of article I, section 7, clause 2 of the Constitution.

Sincerely,

J. DENNIS HASTERT,  
*Speaker.*  
RICHARD A. GEPHARDT,  
*Democratic Leader.*

CONGRESS OF THE UNITED STATES,  
*Washington, DC, November 21, 1989.*  
Hon. GEORGE BUSH,  
*President of the United States, The White House, Washington, DC.*

DEAR MR. PRESIDENT: This is in response to your action on House Joint Resolution 390. On August 16, 1989, you issued a memorandum of disapproval asserting that you would "prevent H.J. Res. 390 from becoming a law by withholding (your) signature from it." You did not return the bill to the House of Representatives.

House Joint Resolution 390 authorized a "hand enrollment" of H.R. 1278, the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, by waiving the requirement that the bill be printed on parchment. The hand enrollment option was requested by the Department of the Treasury to insure that the mounting daily costs of the savings-and-loan crisis could be stemmed by the earliest practicable enactment of H.R.

1278. In the end, a hand enrollment was not necessary since the bill was printed on parchment in time to be presented to you in that form.

We appreciate your judgment that House Joint Resolution 390 was, in the end, unnecessary. We believe, however, that you should communicate any such veto by a message returning the resolution to the Congress since the intrasession pocket veto is constitutionally infirm.

In Kennedy v. Sampson, the United States Court of Appeals held that "pocket veto" is not constitutionally available during an intrasession adjournment of the Congress if a congressional agent is appointed to receive veto messages from the President during such adjournment. 511 F.2d 430 (D.C. Cir. 1974). In the standing rules of the House, the Clerk is duly authorized to receive messages from the President at any time that the House is not in session. (Clause 5, Rule III, Rules of the House of Representatives; House Resolution 5, 101st Congress, January 3, 1989.)

Successive Presidential administrations since 1974 have, in accommodation of Kennedy v. Sampson, exercised the veto power during intrasession adjournments only by messages returning measures to the Congress.

We therefore find your assertion of a pocket veto power during an intrasession adjournment extremely troublesome. We do not think it constructive to resurrect constitutional controversies long considered as settled, especially without notice of consultation. It is our hope that you might join us in urging the Archivist to assign a public law number to House Joint Resolution 390, and that you might eschew the notion of an intrasession pocket veto power, in appropriate deference to the judicial resolution of that question.

Sincerely,

THOMAS S. FOLEY,  
*Speaker.*  
ROBERT H. MICHEL,  
*Republican Leader.*

## BLUE RIBBON SCHOOL WINNER

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 18, 2000*

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Bernardo Heights Middle School in Rancho Bernardo and its leaders, Principal, Maureen Newell and Superintendent, Dr. Bob Reeves. Bernardo Heights has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous overview of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Bernardo Heights Middle Schools' superior work be included in the record:

Located in northern San Diego County, Bernardo Heights Middle School (BHMS) is one of five middle schools in the award-winning Poway Unified School District. The school has a sprawling suburban campus where students are active participants in the learning process. The dynamic teachers are committed to developing a love of learning that will last a lifetime. Bernardo Heights has set expectations and academic standards that foster well being, encourage appreciation of the arts, and at the same time embrace diversity. BHMS is continuously re-evaluating their curriculum and the needs of its students. Using parent input, needs assessments, and up-to-date teaching practices and methods, their curriculum provides a solid scope and sequence that assures students will be ready for the 21st Century.

Knowing the pressures and variables of modern society, Bernardo Heights has developed an array of assistance programs to form a safety net for students who are at-risk. From parent-teacher-student conferences to support groups, tutorials to mentoring programs, they do "whatever it takes" to provide all students every opportunity to succeed. Almost 80% of all students scored above the 50th percentile on the SAT 9 reading, writing and math tests and Average Daily Attendance (ADA) is at 96.5%. From its unique architecture to the exciting learning environment within its classrooms, Bernardo Heights Middle School is a dynamic, active educational center, filled with the promise of tomorrow.

## TRIBUTE TO SERGEANT WILLIAM F. SNELL

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Ms. SANCHEZ. Mr. Speaker, today I rise to pay tribute to Sergeant William F. Snell, an officer with the California Highway Patrol. Sergeant Snell is retiring from the California Highway Patrol after 32 years of service to the State of California.

Sergeant Snell began his career as an officer with the California Highway Patrol in 1968. Upon his graduation from the academy, Sergeant Snell was assigned to several offices in California, including Baldwin Park, Riverside, San Bernardino, Central Los Angeles and Santa Ana in July 1986.

In Santa Ana, Sergeant Snell held several administrative positions. He was the sergeant in charge of commercial enforcement within the Santa Ana Area. As sergeant in charge, he directed the commercial officers within the Border Division area, including San Diego and Orange County offices.

Sergeant Snell is a dedicated officer who has served the people and the State of California with highest degree of professionalism. During his career with the Highway Patrol, Sergeant Snell demonstrated his outstanding qualities of management and leadership. Sergeant Snell upheld the mission of the California Highway Patrol to manage and regulate traffic and to achieve "safe, lawful and efficient use of the highway transportation system." An officer in the California Highway Patrol must possess courage, strength, and heroism in the face of the unknown.

I commend Sergeant Snell for his dedication to the safety of California's citizens and to the high caliber of service that he gave to his profession. Colleagues, please join with me in recognizing Sergeant William F. Snell as a man of dignity, honor and purpose and in wishing him many happy years of retirement.

## HOW DRUG PROFITS DRIVE DOCTORS TO INCREASE DRUG UTILIZATION

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. STARK. Mr. Speaker, at the Department of Justice's prodding, Medicare and Medicaid are finally going to reimburse drugs at a more accurate rate. In the past, we have paid for drugs at 95% of the Average Wholesale Price (AWP)—a wholly artificial and often grossly inflated price.

The action by HCFA should be welcome by taxpayers. But it should also be welcome by patients—and not just because patients will now face lower co-payment amounts. The worst aspect of the AWP pricing abuse has been that it distorts medical judgment, causing many—not all, but many—doctors to increase their utilization of drugs on which the doctors can make the most money on the "spread" between the listed AWP price, and what the actual cost to the provider is.

The following data shows the phenomenon: there is absolutely no reason that the nation's

utilization of ipratropium bromide has soared—other than doctors can now make over a 100% profit on the product. If you need ipratropium bromide, you should get it. You should not be getting it because your doctor makes a bigger and bigger profit on it.

I think the evidence will show that there are better cancer drug fighting products available to people, which are not being used because the doctors make more profit on the poorer quality product.

Reform of the AWP will not only save dollars—it will stop an insidious form of medical malpractice.

How has Medicare Utilization for the Inhalation Drug Ipratropium Bromide (HCPCS codes K0518 and J7645) changed as the "spread" or profit that doctors can make on the use of the product has increased?

In 1995, Medicare paid \$3.11 for a unit, and that's what it cost the provider. There was no spread, and Medicare spent \$14,426,108 on the product.

In 1996, Medicare reimbursed \$3.75 a unit, but the cost to doctors was only \$3.26, giving a 49 cent profit or a 15% spread. Interest in the product picked up, with Medicare spending \$47,388,622.

In 1997, Medicare's reimbursement was \$3.50 a unit, but the providers's true cost was only \$2.15, giving a profit spread of \$1.35 or 63%. Sales of the product really starting taking off, and Medicare spent \$96,204,639 on the product.

In 1998 and 1999, Medicare reimbursed \$3.34 for a unit. In 1998, doctors could get it for about \$1.70, giving them a profit of 96% or \$1.64 per unit. Sales totaled \$176,887,868! In 1999, the drug was available for \$1.60, giving users a 108% profit. We don't have the data on total 1999 Medicare expenditures on this product yet, but I bet, Mr. Speaker, that it is higher than ever.

This example is exhibit #1 why we need AWP reform.

## HONORING THE AMERICAN BUSINESS WOMEN'S ASSOCIATION FOR ITS EFFORT TO ADVANCE WOMEN IN BUSINESS

### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. GOODLING. Mr. Speaker, I rise today to honor the American Business Women's Association for its dedication to promote the professional, educational, cultural, and social advancement of business women.

September 22, 2000 will mark the 51st anniversary of the founding of the American Business Women's Association. For over 50 years the members of this association have recognized that education and skilled training are crucial in today's technological society. These enterprising women hold active, responsible positions on all levels of business and will play an increasingly powerful role in the American workforce.

The local chapters of the A.B.W.A. have made scholarships available to students to further their education and have provided financial assistance to students returning to the workforce by enabling them to attend college. Through the improvement of individual skills,

leadership abilities, knowledge of diversified business techniques and business relations, these diverse women continue to ensure the future advancement of the chapters of the American Business Women's Association.

I ask my colleagues to join me in recognizing the women of the American Business Women's Association for their support and contributions to the public and private sectors of our country by helping women advance through education.

#### SCOUTING FOR ALL ACT

**HON. GREG WALDEN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. WALDEN of Oregon. Mr. Speaker, I rise to express my most profound opposition to H.R. 4892, the so-called Scouting for All Act, which would repeal the federal charter of the Boy Scouts of America. As an Eagle Scout, a member of the Scout Council, and a lifelong advocate of Scouting, I am both saddened and dismayed by this misguided attempt to bully one of the finest youth organizations in America. Since its inception in 1910, the Boy Scouts have instilled in tens of millions of young men the ideals of good citizenship, patriotism, and service to others. Perhaps no organization in our nation's history has done more to prepare America's youth for the challenges and responsibilities they will face as adults.

I hope the irony of this legislation is not lost on my colleagues. In the name of tolerance, the author of this bill is attempting to harness the power of the federal government to change an organization simply because it does not share her views. This bill represents an incredibly arrogant attempt to impose the beliefs of a small minority on a private institution. And it seeks to demonize one of the most fundamentally decent groups in America.

Mr. Speaker, the Scout Oath includes the pledge that a Scout will keep himself "morally straight." Whether one believes homosexuality is inconsistent with that oath or not, the Boy Scouts of America are entitled to interpret their oath, as well as set their own criteria for membership, as they see fit. I would submit to my colleagues that denying them that right would demonstrate a supreme disrespect for the right of people to associate freely, which the Constitution guarantees.

The problem with this legislation should be obvious to anyone who respects the right of Americans to organize themselves as they choose. The legislative power of this Congress should not be used as a tool to shape the policies of private organizations in ways that are pleasing to the political class.

In an age when America's young people are fed a steady diet of violence and obscenity, it is absurd that Congress is targeting an institution as wholesome as the Boy Scouts. In an age when school shootings capture headlines and we busy ourselves combating teen drug use, it is shameful that some of my colleagues would assail an organization dedicated to such principled goals as the Boy Scouts. I urge my colleagues to reject this offensive legislation and send a clear message to the nation's Scouts that they have both the support and admiration of the United States Congress.

#### PERSONAL EXPLANATION

**HON. CHARLES H. TAYLOR**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. TAYLOR of North Carolina. Mr. Speaker, due to flight delays, I was unavoidably detained in North Carolina yesterday and unable to cast a vote on Roll Call Votes 477 and 478. Had I been present, I would have voted YEA on Roll Call Vote 477 and YEA on Roll Call Vote 478. I ask unanimous consent that the permanent record reflect these intended votes.

#### TRIBUTE TO PERRY HALL ON ITS 225TH ANNIVERSARY

**HON. BENJAMIN L. CARDIN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. CARDIN. Mr. Speaker, today I pay tribute to a very special community located in Maryland's 3rd Congressional District. The Perry Hall community is celebrating its 225th anniversary this year.

Perry Hall is a thriving, suburban community of 40,000 residents located 10 miles northeast of Baltimore City. It was founded in 1775 by Harry Dorsey Gough, who purchased a 1,000-acre estate called The Adventure. He renamed it Perry Hall after his family's home near Birmingham, England. On that site he built a mansion that became known for magnificent gardens and distinctive architecture.

In the years during and after the Civil War, German and Irish families began to settle in the community surrounding the mansion. These families worked hard and developed a thriving dairy and nursery industry. In 1875, Eli Slifer and William Meredith bought the "Perry Hall" property, divided it and sold lots to immigrant families, who then began raising "stoop crops" such as celery and carrots.

Perry Hall began its transformation from rural hamlet to suburban community in the years following World War II. Brick bungalows were built for returning GI's and their brides. New schools were built to serve their growing families and the first shopping center arrived in 1961.

In 1981, the transformation was completed with construction of White Marsh Mall. While the farms and forests of Perry Hall have been replaced by housing developments, shopping centers and new businesses, the most important part of Perry Hall still remains: its friendliness and warmth.

This year, Perry Hall has celebrated its 225th year with a series of events, picnics and concerts. The Perry Hall Improvement Association will cap off this anniversary year with the Millennium Ball on Nov. 3, 2000.

I ask my colleagues to join me in expressing congratulations to all who live in Perry Hall, Maryland, and in wishing them the best on this historic anniversary.

#### IN RECOGNITION OF THE CONTRIBUTIONS OF PROFESSOR CARL SWARTZ

**HON. SAM GEJDENSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. GEJDENSON. Mr. Speaker, today I congratulate Professor Carl Swartz upon receiving the Educational Excellence and Distinguished Service Award for 2000. Professor Swartz is a deserving recipient and a tremendous asset for Three Rivers Community College.

Professor Swartz is a well-respected professor of business at Three Rivers Community College in Norwich, Connecticut. He has been teaching courses at Three Rivers since 1971 and has had the distinct honor to serve as chairman for the business administration and marketing programs for 14 years. While at Three Rivers, Carl has been an advisor to the business club and developed new courses in industrial supervision, salesmanship, labor relations, human resource management and advertising. Carl has also served on many committees and was a member of the White House Small Business Advisory Committee during the Carter administration. In addition, in 1999, Carl received the Congress of Connecticut Community Colleges Recognition award for his invaluable work at Three Rivers.

Professor Swartz has gone beyond the role of professor and has been active in the community as well. He has represented Three Rivers on the TVCCA Board of Directors, served as a member of the state council on Vocational Education and written a weekly column for the Norwich Bulletin. By involving himself in the educational and social aspects of his students, he has created a solid foundation for the future of our community.

Mr. Speaker, I Join residents from Norwich in congratulating Professor Carl Swartz on receiving this prestigious award. He is a scholar, a teacher and an example for all.

#### RECOGNIZING THE CITY OF SANTA CLARITA

**HON. HOWARD P. "BUCK" McKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. McKEON. Mr. Speaker, I rise today to recognize the city of Santa Clarita, California, for its activities on behalf of preserving the Santa Clara River, located in my district, and for its activities recognizing National Pollution Prevention Week.

The City of Santa Clarita will hold its annual "River Rally" at the Santa Clara River on September 23, 2000. This event will highlight the importance of the Santa Clara River. During this annual event, citizens from throughout the city and the greater Santa Clarita Valley gather and pick up trash from the banks of the river. The River Rally raises awareness of the river and pollution prevention measures. The city and the many business and individuals who participate in the River Rally deserve our thanks.

The City is holding the River Rally during National Pollution Prevention Week, which is

September 18–24. We all value a clean environment. In order to achieve that goal, the city of Santa Clarita has developed a pollution prevention program that is aimed at protecting the environment and encouraging economic competitiveness.

Santa Clarita is to be commended for taking these steps to safeguard our environment and raise awareness of the importance of pollution prevention.

#### HONORING RENEE ROSE

#### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor a very special person, Renee Rose of San Francisco, California, who is a dedicated wife, daughter, mother, grandmother, colleague and friend.

Renee Rose is one of those rare individuals who takes care of everyone she knows. Whether you are simply stopping by her office to drop something off, or you are a second cousin of a second cousin looking for a place to stay—Renee will take care of you. She takes care of everyone, and she is wonderful at it. In a day and age when people do not even exchange eye contact, Renee is a beautiful reminder about what people should be all about. And everyone lucky enough to fall into her care is truly blessed. If only we had more Renee's.

On behalf of the many that have benefited from your numerous kindnesses, Renee Rose, we rise to celebrate you and your 60th birthday. We wish you 60 more!

#### INTRODUCTION OF THE BENIGN BRAIN TUMOR CANCER REGISTRIES AMENDMENT ACT

#### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Ms. LEE. Mr. Speaker, since 1973, there has been a federal cancer data collection process in existence. Unfortunately this process failed to include "benign" brain tumors. I have introduced legislation to include benign brain tumors in the data collection of cancer registries.

This data will directly help the entire medical system including public health agencies, scientific research labs, health system public policy groups and of course the brain tumor groups. The medical system organizations use cancer data in funding decisions, investigations, research, and care facilities.

I am pleased to announce the introduction of the Benign Brain Tumor Cancer Registries Amendment Act.

Brain tumors are the second leading cause of cancer death for children and the third leading cause of cancer death in young adults ages 15–34.

The greatest increase in brain tumors has been among people 75 years of age or older.

Only 37 percent of males and 52 percent of females survive five years following the diagnosis of a primary benign or malignant brain tumor.

Each year, approximately 100,000 people in the United States are diagnosed with a primary or metastatic brain tumor. Nationwide, the incidence of brain tumors has increased by 25 percent since 1975 and the reasons for this increase are unknown.

For many types of tumors, the distinction between benign and malignant is significant. For tumors of the brain, this distinction is not as clear.

A tumor, whether malignant or benign, is a collection of cells that grow as rapidly as malignant tumors, however based on location and size, even benign brain tumors can be life threatening.

Benign brain tumors account for almost 40 percent of all brain tumors. Not including these tumors in the cancer registry, underestimates the incidence of brain tumors in the general population.

Roughly half of all brain tumors are benign. All brain tumors, both cancerous and benign, are potentially life-threatening.

I urge my colleagues to cosponsor this bill and support the thousands of Americans plagued with this disease.

#### TRIBUTE TO DR. GEORGE W. TEUSCHER

#### HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. GREENWOOD. Mr. Speaker, in its annual meeting in San Antonio, on October 28, 2000, the American Society of Dentistry for Children will honor the life's work of George W. Teuscher. Born in 1908, Dr. Teuscher received his dental degree from Northwestern University in 1929. Subsequently, he received an MSD degree in pediatric dentistry, an MA in educational psychology and a PhD in education, with major areas of study in administration, and English and American Literature. Since the 1930s, Dr. Teuscher has been a dental clinician, researcher, educator, dental school dean, writer, editor, and lecturer to dentists all over the world. In 1968 he became Editor-in-Chief of the Journal of Dentistry for Children. In the thirty two years since, Dr. Teuscher's editorials regarding child advocacy have expounded on preventive dentistry and medicine, child behavior, parental concerns, the importance of education, special needs patients, ethics, social responsibility, and other topics—all relating to children and their well being. His writings in the Journal have served as a veritable archival conscience for the dentist: a thought provoking stream of awareness regarding children in modern societies. Dr. Teuscher's writings, along with articles he has selected for publication, have made the Journal of Dentistry for Children the most widely read and important international publication in the field. Likewise, his leadership in the American Society of Dentistry for Children has made it a renowned and respected child advocacy health organization. To this day, with undiminished vigor and enthusiasm, 92-year-old Dr. Teuscher reviews and edits scholarly submissions to the Journal, from dozens of countries. His skills and talent for this endeavor seem to increase with each published issue of the Journal, as the years have gone by. As one of dentistry's great leaders of the 20th

century contemplates retiring from his work with the American Society of Dentistry for Children, it is with great respect, gratitude, admiration and affection that the people of the United States and members of the United States Congress pay tribute to Dr. George W. Teuscher.

#### PERSONAL EXPLANATION

#### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mrs. EMERSON. Mr. Speaker, on Monday September 18, 2000 I was unavoidably detained in Southeast Missouri. I was reviewing a critical flood control project with the Assistant Secretary of the Army for Civil Works, Dr. Joe Westphall. Had I been present I would have voted aye on roll call votes 477 and 478.

#### PERSONAL EXPLANATION

#### HON. HELEN CHENOWETH-HAGE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mrs. CHENOWETH-HAGE. Mr. Speaker, on September 18, 2000, I missed two roll call votes because of unavoidable obligations in Idaho. Had I been present, I would have voted "yea" on roll call vote 477 (Motion to Suspend the Rules and Pass, as Amended, H.R. 5173) and "yea" on roll call vote 478 (Motion to Suspend the Rules and Pass, as Amended, H.R. 5010).

#### TRIBUTE TO CHAPLIAN (COLONEL) WILLIAM C. MORRISON, JR.

#### HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. WISE. Mr. Speaker, I rise today to Honor Chaplain (Colonel) William C. Morrison, Jr., who is retiring from the United States Army after 24 years of active duty and to congratulate him on being selected as the new Regional Minister of the Christian Church (Disciples of Christ) in Florida.

William C. Morrison, Jr., has served this great country with dignity, integrity and honor. He is a native of Charleston, West Virginia, and an ordained minister of the Christian Church (Disciples of Christ).

He graduated from West Virginia State College with a Bachelor of Science Degree in Business Administration. He completed his theological studies at Howard University School of Divinity in Washington, D.C. where he earned the Master of Divinity Degree. He also graduated from Golden Gate University in San Francisco, California, with a Master of Business Administration Degree in Management.

Chaplain Morrison received a direct commission into the United States Army Chaplain Corps on June 15, 1976. He is a graduate of the Chaplain Officer Basic and Advanced Courses, Division Chaplain Course, Installation Chaplain Course, U.S. Army Drug and Alcohol Abuse Team Training, U.S. Army Command and General Staff College, and the U.S.

Army War College. He has served as an Army Chaplain in assignments at Fort McClellan, Alabama, Republic of South Korea; Fort Knox, Kentucky; Washington, DC.; Frankfurt West Germany; and Fort Bliss, Texas. He also served as the Staff Chaplain of the Armed Forces Inaugural Committee for the 1984 Presidential Inauguration of Ronald Reagan and George Bush. During Operations Desert Shield and Desert Storm, he served as the Brigade Chaplain for the 11th Air Defense Artillery Brigade.

Before attending the U.S. Army War College, he was the Division Chaplain for the 101st Airborne Division (Air Assault), Fort Campbell, Kentucky. Upon graduation from the Army War College, he served as the Mobilization, Training, and Military operations Chaplain, U.S. Army Forces Command, Fort McPherson, Georgia. He also served as the Deputy Command Chaplain, U.S. Army Forces Command. Prior to his current assignment as Command Chaplain, U. S. Army Materiel Command, he was the Installation Staff Chaplain, Fort Stewart, Georgia, he is currently serving as Command Chaplain, U.S. Army Materiel Command. His awards and decorations include the Legion of Merit Medal, Bronze Star Medal, seven awards of the Meritorious Service Medal, the Joint Service Commendation Medal, Army Commendation Medal, Army Achievement Medal. Southwest Asia Service Medal (with three stars), Liberation of Kuwait Medal, and the Air Assault Badge.

I am especially proud of his accomplishments as a distinguished Army Officer and Chaplain from my district in Charleston, West Virginia. His accomplishments speak to his courage, compassion, integrity, and loyalty to his country.

Mr. Speaker, I ask that this house please join me in recognizing, honoring, and congratulating this outstanding army officer, soldier and clergyman.

#### CALIFORNIA'S SESQUICENTENNIAL

SPEECH OF

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 13, 2000*

Ms. SANCHEZ. Mr. Speaker, today, I join my colleagues in celebrating California's 150 year anniversary of statehood. This is a monumental time in our history not only as a people from a state but as a constantly growing and ever changing nation. I am proud and honored to be a part of such a special event.

Throughout my life, I have been lucky enough to call the 46th Congressional District in Southern California home. It's experience has been an honor to not only serve my constituents, but enjoy the many opportunities that our state has to offer.

Orange County, California is known the world over for it's performing arts, education and the Anaheim Angels major league baseball team. Anaheim, California is home to Disney Land, the "Happiest Place on Earth" which has entertained families for over fifty years.

For over a century, my state has been a leader and the very backbone for economic opportunity in almost every major field. It is

this nations leader in trade and shipping as well as a model for education, environmental initiatives, and the world's largest entertainment industry.

The 46th District in California is culturally diverse and represents the best of what California has to offer. I am deeply honored to represent those from the 46th Congressional District in California, and I will continue my responsibility to all who call Orange County, California home.

#### HONORING THE HEROES OF THE 44TH INFANTRY DIVISION

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to the brave Americans of the 44th Infantry Division. From September 21 to September 24, 2000, the 44th Infantry Division Association will be celebrating the 55th anniversary of the end of World War II at the Midway Hotel near Chicago, Illinois. This venue is very appropriate, as the State of Illinois contributed over eleven hundred soldiers to the 44th Division. Today, it certainly gives me great honor to remind my colleagues and the American public of the sacrifice these great men gave for the freedom and prosperity that is enjoyed by so many.

Maj. General William F. Dean commanded the 44th Infantry Division of roughly fifteen thousand men, comprising about one-fifth of the 7th Army. On September 15, 1944, the 44th Infantry landed at Cherbourg, France, to relieve the 79th Division that invaded Normandy on D-Day.

Forty days later, the 44th received their first attack from axis forces east of Luneville, France. In midwinter 1944, the 44th Division fought through the Maginot line, as well as the Vosges Mountains in northern France. In fact, the first United States soldiers to reach the Rhine River between France and Germany were members of the 44th Infantry Division. Along the way, the 44th held off several savage assaults from German Panzer divisions. In addition, the 44th was called to relieve two divisions of allied forces that were to be employed in the Ardennes Forest counteroffensive.

In the beginning of 1945, the 44th Infantry Division was forced into a defensive posture, as three German divisions, including the elite 17 SS Panzer Grenadier Division, conducted an all-out attack on United States forces. Amazingly, the brave Americans held off the brutal attack that would have cut off the allied forces in Alsace, as well as the Vosges and Hardt Mountains. In mid-March 1945, the division earned a well-deserved 2-day rest after other allied divisions passed through their fortification for the final assault on Germany. I should note that the 44th had undergone 144 days of continuous commitment.

On March 27, 1945, the 44th finally crossed the Rhine and provided for the capture of Mannheim and Heidelberg. Soon later, the 44th reached the Danube River and joined with the 10th Armored Division. On April 25, 1945, these joint forces captured the ancient German city of Ulm. Finally, the 44th swept into the Austrian Alps, after which Victory in Europe was gratefully won.

Mr. Speaker, the 44th Infantry Division fought for 203 incredible days. They captured over 44,000 enemy prisoners, and destroyed thousands more. During the European campaign, the 44th lost roughly 2,000 men in combat. Since the end of World War II, another 6,000 have passed on. Today, our country is graced with over 5,000 survivors of the 44th Infantry Division. With roughly 1,000 World War II veterans leaving us each day, I am very pleased to see these veterans enjoying the years that they earned so courageously. Mr. Speaker, I hope these brave Americans will continue to relate their incredible experiences gained during the greatest, most noble war ever fought by man.

#### TRIBUTE TO TROOPER ROBERT PEREZ, JR.

**HON. SHERROD BROWN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. BROWN of Ohio. Mr. Speaker, I rise today to pay tribute to Ohio State Highway Patrol Trooper Robert Perez, who dedicated his life to law enforcement and assisting people in need. At the age of 24, Trooper Perez died in the line of duty as a result of a roadside fatality.

Known and respected for his integrity, dedication and ability, Trooper Perez distinguished himself as a community leader and devoted family man. Trooper Perez began his law enforcement career as a Vermillion Ohio Police Explorer, where he had the opportunity to accompany police officers and gain first hand experience. After graduating in the 132nd Ohio State Highway Patrol Academy Class in 1999, he served at the Highway Patrol Post at Freemont and then Milan, Ohio. He was also involved in the Ohio's Trooper Coalition, the Ohio State Trooper's Association for Safer Ohio and Ohio Trooper's Caring. Trooper Perez also served as a Member of the Army National Guard and was a Lorain (Ohio) Corrections Officer.

Trooper Perez took great pride in helping his family. From an early age, he took care of his brother, sister and mother by mentoring his siblings and giving his earnings to his mother. Trooper Perez's willing and giving heart made him a son and brother his family will always be proud of.

#### GENERIC DRUGS SAVE CON- SUMERS BILLIONS WHILE IN- CREASING CHOICE AND COM- PETITION

**HON. MARION BERRY**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. BERRY. Mr. Speaker, since the Drug Price Competition and Patent Restoration Act, better known as the Waxman-Hatch Act, was signed into law in 1984, generic drugs have been a major source of relief for many Americans who face extraordinarily high prescription drug prices.

The law struck a balance between the generic pharmaceutical industry and brand-name

companies. It did this by speeding up the approval process for generic drugs, and also by guaranteeing brand-name companies a minimum amount of market exclusivity before generics are allowed to compete.

After the passage of Waxman-Hatch, the generic pharmaceutical industry grew from a \$2 billion industry in 1984 to \$8 billion in 1997. Over the same period, brand-name companies' sales grew from \$17 billion to \$77 billion.

According to the Congressional Budget Office, generic pharmaceuticals saved consumers \$8 to \$10 billion dollars in 1994 alone. As fast as drug prices have been rising in recent years, they would have increased much faster if consumers had not had access to generic alternatives.

Despite the great benefit generic alternatives have provided to many patients, I am concerned about the activities some brand-name manufacturers have engaged in to obstruct generic competition. These efforts by brand-name companies include using payments to generic competitors, which are legally entitled to a period of being the exclusive competitor for 180 days, not to bring their product to market—in effect, this is buying a perpetual monopoly. Attempts to spread false information, lobby state legislators to restrict generic competition, and circumvent the ordinary process by having Congress pass special legislation granting patent extensions are other examples of anti-competitive behavior.

I have a great appreciation for what the generic pharmaceutical industry has done to benefit American consumers, and I am hopeful that in the not-too-distant future Congress will consider additional pro-consumer legislation to ensure consumers have increased access to more affordable generic prescription drugs.

#### GENERIC DRUGS AND BRAND NAME DRUGS MEET THE SAME FDA STANDARDS

##### HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. ENGLISH. Mr. Speaker, expanding government prescription drug programs is one way to ensure Americans have access to the medicine they need. Another way is to educate them to make better choices among health care options so that they are able to get the best health care at a fair price. Part of the education process must include a primer on generic drugs.

Most Americans do not take advantage of generic drugs and the substantial cost savings they represent because they do not really know the truth about them. The truth is, the U.S. Food & Drug Administration holds generic drugs and brand drugs to the exact same standards. The FDA requires that generics and brands contain the same active ingredients and deliver the same health benefits. The FDA also monitors generic manufacturing facilities to ensure that their drug products maintain high quality and effectiveness.

Generics are safe, effective, and more affordable than brand name drugs. Let's do our part to make sure more Americans are aware of the tremendous health care value they can get from generic pharmaceuticals.

#### IMPROVE ACCESS TO GENERIC PHARMACEUTICALS

##### HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. DEUTSCH. Mr. Speaker, I'm here today to deliver good news for American consumers, seniors and taxpayers, all of whom are seeking more affordable medicine. That's right, good news!

Over the next decade, patents on nearly \$50 billion worth of brand name drugs are scheduled to expire. If you assume that generic versions of those drugs will be introduced at a price 50 percent lower than the brand price—and that's conservative—Americans will enjoy \$25 billion in savings. That figure is in addition to an estimated \$10 billion Americans are already saving each year through the use of generic drugs.

With so much profit at stake, we can expect brand drug companies to do everything in their power to delay the expiration of those patents. But as representatives of the people, we must put patient health ahead of profits and vote no on these unfair and unwarranted patent extension requests.

#### DELAY OF CONSIDERATION OF THE FINANCIAL CONTRACT NETTING ACT OF 2000, H.R. 1161

##### HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. LaFALCE. Mr. Speaker, last Friday, notice of expedited floor action on H.R. 1161, legislation to insure against potentially destabilizing legal uncertainties in the financial markets, was circulated in the House. The Committee on Banking and Financial Services has reported favorably. In fact, all committees of jurisdiction on the Financial Contract Netting Act of 2000 have acted. Controversy on this bill is virtually non-existent. Broad bipartisan support for the measure is assured. Signature by the President has long been assumed should Congress complete action of the bill. Moreover, the bill, as a separate non-controversial part of the more general and contentious Bankruptcy Reform Act, has passed both the House and the Senate. The bankruptcy legislation itself has not, of course, been finally adopted due to its long-pending conference and highly contentious provisions.

Yesterday, the netting bill was pulled from consideration on the suspension calendar. The precipitous action of the Republican leadership calls into very serious question the ability of Congress, given the short time until adjournment, to enact this vital legislation under the most favorable of circumstances.

H.R. 1161, while highly technical and complex legislation, has broad support because of the critical need it fills. The legislation is a top priority of the Federal Reserve and the Treasury Department. It is essential to provide an orderly structure through which financial corporations can work out their debts in bankruptcy without destabilizing financial markets. It is consensus, must-pass legislation.

In contrast, the successful conclusion of the longstanding conference on the Bankruptcy

Reform Act is increasingly in doubt, because of fundamental problems and substantial controversy surrounding that underlying legislation. Apparently, companies supporting passage of that controversial legislation have now mustered the political clout to block the non-controversial H.R. 1161. I deplore what I view as a cynical effort by some industry lobbyists to hold the vital netting legislation hostage. Doing so will not save the otherwise controversial bankruptcy bill, and such tactics are irresponsible in the extreme. Not only are they contrary to good and necessary public policy, they are also very risky for many of the affiliated banks and brokerage firms of the obstructing companies involved. These firms are also active in the very sophisticated financial markets which risk being thrown into disarray in the event of failure of a major domestic or, indeed, foreign financial institution, absent the netting legislation.

The Financial Contract Netting Act is essential to ensure that financial markets function smoothly, especially in the event of the failure of a large institution. Monetary experts have been strongly urging the approach of H.R. 1161 since the Promisel Report in 1991. From then to the present, the need for this legislation has become more acute each year, because of the increasingly outdated nature of statutes which are supposed to set the bankruptcy and receivership rules for financial firms. The rise of the \$40–50 trillion swaps market is the main force which has rendered these statutes increasingly irrelevant and effectively inoperable.

Under H.R. 1161, a bankrupt financial firm's debts, that are related to financial instruments in the exposed process of transfer, can be quickly reduced to clear, single amounts owed to other healthy financial companies, according to their respective claims. Under present law, such simplification might well not be able to occur due to inconsistencies among governing statutes. Needless litigation and disavowal of debt could therefore occur. Such disruption is highly risky in an environment where clarity regarding debt obligations and payment is a must if our value and claims transfer system is to work with the flawlessness demanded by this increasingly sophisticated economy.

The public dangers here are quite real. I deplore the fact that companies pressing for bankruptcy legislation seem focused only on their narrow interests without giving due consideration to stability of the financial markets these companies heedlessly jeopardize and the broader issues confronting American finance. In particular, potential financial disruptions due to stresses on the energy supply and in the currency markets make the netting legislation imperative before Congress adjourns sine die.

I urge expeditious and independent action on the netting legislation.

#### ADVO 100TH RECOVERY

##### HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. LAMPSON. Mr. Speaker, I'd like to take a moment to congratulate ADVO, Inc., in its recovery of the 100th missing child that has

been featured on its Have You Seen Me? direct mail cards.

For fifteen years, ADVO has made a strong commitment to aiding in the recovery and return of missing children. In partnership with the National Center for Missing and Exploited Children and the United States Postal Service, ADVO launched the America's Looking for Its Missing Children program in 1985. Reaching an estimated 79 million home each week with pictures of missing children, the familiar Have You Seen Me? cards are constant reminders to the public that hundreds of thousands of children are missing annually in our country. In total, more than 40 billion pictures of missing children have been distributed to date.

And Americans have responded in an unprecedented way. ADVO announced on July 31st that the recent joyous reunion of a 5-year-old Pennsylvania girl with her mother, following an 18-month abduction, is the 100th safe recovery of a missing child resulting from the familiar mail cards.

One in six children is found as a direct result of programs like ADVO's. It takes just a few seconds of your time to stop, look and think about the children that are featured on posters, on the cards, and on television. Each time you see one, you're presented with an opportunity to reunite a family with their missing child. Once again, congratulations to ADVO on its continued commitment to this very worthy cause.

IN HONOR OF CHARLES  
AMPAGOOMIAN, SR.

**HON. JAMES P. McGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. McGOVERN. Mr. Speaker, today I honor the life of a man who, throughout his life, gave unselfishly of himself to his town, his community, and his nation. The son of Armenian immigrants, Charles Ampagoomian Sr. was a life long resident of Northbridge (Whitinsville) which has honored him with the dedication of a bridge in his memory.

In 1939, at the age of 17, Mr. Ampagoomian enlisted in the Army where he served until the outbreak of World War II. Serving with the 885th Bombardment Squadron of the Fifteenth Air Force Staff Sergeant Ampagoomian served his nation with honor participating in the campaigns of North Apennines, Naples, Foggia, Southern France, Rome, Arno, Air Combat Balkans, Rhineland, Po Valley, and Northern France. During his service, Staff Sergeant Ampagoomian was recognized by the Army with numerous decorations including the American Theater Campaign Ribbon, Good Conduct Medal, Distinguished Unit Badge with I Oak Leaf Cluster, GO #3325 Hq 15th AF 44, European, African and Middle Eastern Theater Campaign Ribbon, Victory Medal, and American Defense Service Medal with Clasp.

Following the War, Mr. Ampagoomian returned to his native Northbridge (Whitinsville) working for 35 years as a truck driver and union member. He was active in his community serving as past commander of the Whitinsville Veterans of Foreign Wars, a Member of the Board of Trustees of the Armenian Apostolic Church, on the Advisory Board of St. Camillus Hospital, and on the Northbridge Democratic Town Committee.

I know that the entire town of Northbridge joins with me in honoring the memory of Charles Ampagoomian Sr. a man who was dedicated to family and community. Congratulations to his family on this honor.

#### PERSONAL EXPLANATION

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. OBERSTAR. Mr. Speaker, I underwent corrective surgery on my hand yesterday, and was not present to record my vote during the consideration of legislation under Suspension of the Rules.

Had I been present, I would have voted "aye" on rollcall 477, for I supported similar Debt Lockbox legislation in July; and I would have voted "aye" on rollcall vote 478.

UPON THE DEATH OF ROBERT P. RASCOP, FORMER MAYOR OF SHOREWOOD, MN, VISIONARY ENVIRONMENTALIST AND DEDICATED MINNESOTA PUBLIC SERVANT

**HON. JIM RAMSTAD**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. RAMSTAD. Mr. Speaker, I rise sadly to salute a remarkable and visionary public servant from my area in Minnesota who passed away recently.

By any measure of merit, Robert P. Rascop of Shorewood, Minnesota, was one of our nation's best and brightest—a gifted business leader and a truly remarkable local government leader.

He had very special leadership skills, indeed. Bob passed away September 12 after a tragic accident. Bob will be sorely missed by all of us who admired and respected his remarkable public stewardship.

Bob lived in Shorewood for a quarter of a century, near the shores of his beloved Lake Minnetonka. Bob and his loving wife of 35 years, Carol, raised their children Mary and Larry there.

A gifted business leader with NCR for 34 years, Bob still dedicated much of his time, energy and talent to his community. He was a member of the Shorewood City Council and, from 1981 to 1988, Mayor. His leadership was critical during those years as developmental pressures required good planning by city leaders—and strong principles. Bob Rascop was a thoughtful man of the utmost integrity.

For fully two decades, Bob was very active with the Lake Minnetonka Conservation District, an organization which attempts to strike a delicate balance so that both present users and future generations will be able to enjoy Lake Minnetonka.

Bob helped the LMCD with its important work with his great intellect, impressive array of people skills and sense of humor. Deliberations were fair, everyone was heard. And, in the end, Lake Minnetonka's environment was the top priority.

All of us who love Lake Minnetonka owe Bob Rascop a deep debt of gratitude. His vigi-

lance and environmental expertise have been instrumental in protecting Lake Minnetonka. I will always be grateful to Bob for his exceptional leadership and visionary guidance, and my thoughts and prayers are with his wonderful family.

#### PERSONAL EXPLANATION

**HON. VAN HILLEARY**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. HILLEARY. Mr. Speaker, on Monday, September 18, I was unavoidably detained from the House Chamber when my flight from Tennessee to return to Washington was canceled. Had I been present I would have cast my vote as follows: rollcall 477—"yes"; rollcall 478—"yes."

HATCH-WAXMAN ACT LOOPHOLES  
MUST BE CLOSED

**HON. ALAN B. MOLLOHAN**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. MOLLOHAN. Mr. Speaker, the modern day pharmaceutical marketplace was established by passage of the 1984 Drug Price Competition and Patent Term Restoration Act. The act, commonly known as the Hatch/Waxman Act, gave brand companies longer patent periods to provide them with financial incentive to innovate. The act also gave generic drug companies a streamlined approval process, so they could bring less-costly versions of drugs to market quickly after patents expired.

The Hatch/Waxman Act worked well. Brand companies introduced hundreds of new drugs and grew to become the most profitable industry in the world. Meanwhile, generic companies were able to provide the public with drugs that cost significantly less.

Unfortunately, the brand drug companies were not satisfied with their astounding success. They are now using loopholes in the Hatch/Waxman Act to file frivolous administrative and legal challenges to keep generic competitors out of the marketplace. For example, brand companies are exploiting loopholes in the act to keep generic versions of drugs such as Taxol for cancer and Losec for ulcers out of the marketplace. Each day the brand companies succeed in delaying generic competition, they reap windfall profits at the expense of patients.

The Hatch/Waxman Act is a good law that will be made great when the loopholes are closed and fairness returns to the pharmaceutical marketplace.

#### HATCH/WAXMAN ACT

**HON. RON PACKARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. PACKARD. Mr. Speaker, in 1984, the Hatch/Waxman Act was signed into law to bring order to the pharmaceutical economy



and benefit the American consumer. This Act was enacted in response to rising drug prices and assertions by drug companies that long regulatory delays increased costs for consumers. The Act served as a compromise between the competing interests of generic and brand name drug manufacturers. Under the Act, brand drug companies received extended patent periods. The patent extensions were designed to enable brand companies to make greater profits, which allow for more research. The Act also provided generic drug companies with the right to develop less-costly generic versions of brand drugs as the patents expire.

The Act has been a success for two reasons. First, it provides brand name and generic drug companies with incentives to provide better quality products for consumers; and second, it encourages the brand name industry to dedicate more of its profits to research and development of new drugs under a set patent expiration date.

The best way to ensure continued investment in new drug research is to make sure the Hatch/Waxman Act is enforced fairly and consistently. By doing this, we can give the American public greater access to innovative and affordable medicine, and drug companies will have the incentives intended by Congress to continue to provide their services.

#### HISPANIC HERITAGE MONTH

#### HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. UDALL of New Mexico. Mr. Speaker, Friday, September 15 marked the beginning of "Hispanic Heritage Month." Our country's history has been richly enhanced by the contributions Hispanic-Americans have given us. I am happy to take part in recognizing these contributions. In my home state of New Mexico we are proud of our Hispanic heritage, which reflects the influence of many cultures.

Not only has New Mexico's history been shaped in part by its Hispanic heritage, but so has the history of our entire Southwest. Indeed, the reach of that Hispanic heritage extended into our eastern manufacturing centers in the 19th Century. It is sad that this rich contribution to our national history is often overlooked. But as the Hispanic presence in our country grows, we cannot continue to ignore the part of the American heritage that played itself out predominantly in—but not only in—the huge territory comprised of what is now the states of New Mexico, Arizona, Texas, California, Colorado, Utah, Nevada and even Oklahoma, Kansas, Missouri and Louisiana. (I say "predominantly in" because the first continuing Hispanic presence in our country is generally recognized as having occurred in St. Augustine, Florida.)

To return to New Mexico and my district, New Mexico may have been traversed by Alvaro Nunez Cabeza de Baca as early as 1536. However, New Mexico became the object of focused exploration in 1540. In that year Francisco Vasquez de Coronado led an expedition into New Mexico and then out across the Great Plains. This was the first documented encounter between New Mexico's Native American communities and Hispanic explorers—encounters that varied in the de-

gree of conflict that occurred between the members of our indigenous cultures and those explorers, but encounters that also began a centuries-long process of cultural exchange and mutual adaptation that eventually shaped the Hispanic Southwest.

Unfortunately, the next 400 years of Hispanic history in New Mexico—and, indeed, in the Southwest—have been neglected and overlooked. And this rich history has also been inappropriately obscured under the cover of past prejudices. Even the use of the term "Spaniard" in referring to those early European explorers and settlers ignores the fact that many of those Spaniards came from other European countries—Italy, Flanders, Germany, Greece and even Ireland and England. And while some Spaniards undoubtedly visited and explored New Mexico in search of riches, and Spanish missionaries were intent on converting Native Americans to Christianity, it is clear that most of the early Spanish colonists came to find a new life for themselves in a new land. And others, it has become increasingly clear, came to escape the Inquisition and find a measure of religious freedom for themselves.

The Spanish Crown's first effort to actually settle New Mexico occurred in 1590. Gaspar Castano de Sosa led a wagon train of Spanish and Portuguese settlers—many of them possibly Sephard, Iberian Jews—from the area near present-day Monterrey, Mexico up the Rio Grande and then north along the Pecos River to "winter over" at Pecos Pueblo in New Mexico. The Jamestown, Virginia settlement was still seventeen years in the future. And Plymouth Rock, Massachusetts, was thirty years away. In the spring of 1591 Castano de Sosa was arrested at Santo Domingo Pueblo, New Mexico through the machinations of a rival Spanish government official. Castano de Sosa had moved his fledgling colony to this location by that time. Following his arrest he was marched back to Mexico City, tried, convicted of illegal settlement and then ordered to serve a sentence of hard labor on Spanish ships employed in the Oriental trade. He was killed in a shipboard uprising without ever learning that his appeal of the sentence had been successful and the Spanish Crown had ordered him back to New Mexico as its first governor.

In 1597, after it was clear that Castano de Sosa had forfeited his life, the Spanish Crown selected Juan de Onate y Salazar to resettle New Mexico. A number of the members of the Onate settlement expedition had participated in the original settlement efforts led by Gaspar Castano de Sosa. Juan de Onate established his first capitol and settlement—named San Gabriel del Yunque-Yunque—at the Pueblo of San Juan de los Caballeros, NM. By about 1605 the capitol had been moved to the location it has occupied continuously for almost four hundred years—Santa Fe, New Mexico. This makes Santa Fe the oldest State capital in the United States, pre-dating the landing at Plymouth Rock by more than ten years. While its founding has been attributed to Don Pedro de Peralta in 1610, more recent evidence indicates that it was actually settled at an earlier date.

Hispanic influence now permeates New Mexico. From the dawn of the 16th century, supplies and communications came into the area along the Camino Real del Tierra Adentro—the Royal Road of the Interior—that

still stretches 2,000 miles from Mexico City to Santa Fe. For the next two centuries and better, caravans periodically made the six-month trek northward. They brought new crops and agricultural techniques, which were combined with those of New Mexico's pre-historic Native American Pueblo communities. They brought cattle and sheep and taught the Native Americans how to raise them. They introduced horses and the wheel, opening the door to the worlds of transportation, commerce and technology. They brought mining and metal-working techniques that were used to produce weapons, tools and jewelry. They brought their cuisine, which over the ensuing centuries has been synthesized into the unique cooking tradition that is so quintessentially New Mexican.

Over the two centuries that followed this original settlement effort, New Mexico found itself increasingly on the fringe of the portion of the Spanish empire administered from Mexico City—the portion referred to as "New Spain." New Mexico's early economic promise failed to develop. It was a frontier long before the pioneers on our Atlantic seaboard began their westward venturing, then trekking. And while that frontier was not an economic engine for New Spain, it became a marketplace for inter-cultural exchange and the formulation of the most unique blend of cultures in our country.

The descendants of those original "Spanish" settlers of multi-national origin were joined by a second wave of settlers following the Native American uprising of 1680 and the resettlement of New Mexico by the forces of the Spanish Crown led by Diego de Vargas in 1692. At annual trade fairs in Taos, Santa Fe or other locations, the Spanish settlers joined with members of the Native American Pueblos to trade with the nomadic Comanche, Navajo, Apache, Kiowa, Ute and other tribes. Members of those tribes left their tribal communities to settle among the Spanish settlers—sometimes willingly, and sometimes because they were captured and forcibly kept as servants. Spanish settlers also were forcibly patriated to nomadic tribes. And in the process, New Mexican culture gained many unique characteristics. And to the degree intermarriage occurred between the Native Americans in the Pueblo communities and the Spanish settlers there also occurred an exchange of cultures. By the middle of the 18th century a new culture was added to the general mix as French traders began to enter New Mexico and to marry into New Mexico's families.

In the 19th Century, New Mexico took, for a time, a more prominent place in the stream of our national commerce when the Santa Fe Trail opened. Hispanic New Mexicans quickly took advantage of this play of fortune, and by the time that the United States incorporated the Southwest into our national territory, Hispanics dominated trade on the Santa Fe Trail. This created the longest continuous trade route in North America, extending from East Coast factories and import houses all the way to Mexico City and beyond. However, as patterns of commerce began to shift around the time of the Civil War, Hispanic New Mexican traders found difficulty in shifting to the larger-scale operations necessary to survive in an increasingly competitive world of national commerce. The place of New Mexico as an important juncture for national and international commerce also began to lose ground as the



Santa Fe Trail began to be displaced by the Oregon Trail and then the trans-national railroads. By the late 19th Century, New Mexico had, once again, been relegated to a "frontier."

Nonetheless, New Mexico has thrived in spite of its struggle to recapture its former place in our national framework. It has slowly begun to turn the tide at the same time that it has hung onto a treasured way of life steeped in cultural tradition. To this day, many—if not most—of the Hispanic communities in my district still hold their annual fiestas celebrating nearly a half-millennium of New Mexican religious traditions and beliefs. The Santa Fe Fiesta—the oldest continuing festival in our country—draws thousands of visitors every year. Family and community life and values sustain our communities. And cultural traditions and institutions are everywhere.

This blending of cultures that occurred in New Mexico has followed the general pattern of what occurred throughout New Spain—and, indeed, throughout the sphere of Spanish influence in the New World. While there were many hostile conflicts during that process, what cannot be disputed is that the accommodation of "Old World" ideas and culture to the "New World" was nowhere as complete as within the limits of the Spanish Empire. Almost nowhere else in our country did so many Native American communities manage to survive their contact with the settlers of European heritage. Throughout the Hispanic world the pervasiveness of the Spanish-flavored outlook of this new blending of cultures led to the application of the term "la Raza." While this term has often been translated as "the Race," this literalist translation misses the meaning—because the term is a predominantly cultural, not racial or ethnic reference. And it is a term—like its contemporary English twin "Hispanic"—that expresses pride in those whose cultural tradition incorporates this blending of cultures under the auspices of the world view inherited from not only the first Spanish settlers of the New World, but also of the peoples who joined them in expanding and broadening that world view.

So while New Mexico has its own unique place in the history and culture of Hispanics, it also shares so much in common with those other parts of the Western Hemisphere that evolved and developed under the same process. We celebrate that richness during Hispanic Heritage Month every year. It is only fitting. We must recognize and embrace the part of our national heritage that not only represents a coming together of so many cultures, but that continues to embrace and welcome those who want to enlarge their world. And so New Mexico, as one stirring example of the history and culture of Hispanics—a mosaic where various cultural ingredients intermingle and complement each other, while often retaining a basic identity—serves as a model for the highest ideals of our society.

Let us then look toward the future during this time of celebration and recognition of Hispanics. As opportunities begin to multiply in new and advanced fields, we must assure that Hispanics are afforded the education and training that will allow them to continue to contribute in much-needed ways to our society. And in New Mexico, let us share our pride in our Hispanic heritage. We are living proof that people from different backgrounds can work together for common goals. I join all my col-

leagues in celebrating Hispanic Heritage Month from September 15 to October 15.

#### REACTION TO INDIAN PRIME MINISTER

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 2000

Mr. BURTON of Indiana. Mr. Speaker, last week the Indian Prime Minister spoke in this very chamber to a joint session of Congress. In addition, he will meet with several American leaders, including President Clinton and perhaps both major-party Presidential candidates. When he meets with these leaders, they must bring up the issue of human rights and self-determination.

India claims to be a democracy, but in truth there is no democracy in India. It is a militant Hindu fundamentalist state. Christians, Sikhs, Muslims, Dalits, and other minorities suffer severe oppression and atrocities at the hands of Hindu fundamentalists.

Just last month, a priest in India was kidnapped, tortured, and paraded through town naked by militant Hindu nationalists. The Indian government has refused to register a complaint against the kidnappers. This is the latest act in a campaign of terror against Christians that has been going on since Christmas of 1998. This campaign has seen the murders of priests, 5 of which were beheaded; rape of nuns, Hindu militants burning a missionary and his two sons to death in their van, the destruction of schools and prayer halls, and other anti-Christian atrocities. Most of these activities have been carried out by allies of the government or people affiliated with organizations under the umbrella of the RSS, the parent organization of the ruling BJP, which was founded in support of Fascism.

And its not just Christians, where more than 200,000 have been murdered in Nagaland since 1947, who are in danger in India. Over 250,000 Sikhs have been murdered since 1984, and well over 70,000 Kashmiri Muslims since 1988, as well as tens of thousands of other minorities by Indian security forces. We cannot accept this kind of brutality and tyranny from a government that claims to be democratic.

Last year, India denied the U.N. Special Rapporteurs on torture and extrajudicial killings permission to visit the country. And since the 1970's, Amnesty International & other human rights groups have been barred from areas in India. Even Cuba allows Amnesty in! In 1999 Human Rights Watch issued their annual report that noted, "Despite government claims that 'normalcy' has returned to Kashmir, Indian troops in the state continue to carry out summary executions, disappearances, rape and torture". (Human Rights Watch Report; India: Human Rights Abuses Fuel Conflict, July 1, 1999.)

And, while the Prime Minister talks today about a strong relationship with the U.S., just last year his Defense Minister led a meeting with Cuba, China, Iraq, Serbia, Russia, and Libya to construct a security alliance. The Indian Express quoted the Defense Minister in explaining that this security alliance was intended "to stop the U.S."

India is not a country to be trusted. India introduced the nuclear arms race to South Asia,

it supported the Soviet invasion of Afghanistan and it votes against us in the United Nations. Its time that India clean up its human rights violations and ends its anti-Americanism. And, let Kashmir determine its own fate as it was promised nearly 50 years ago to by offering a referendum for self-determination. If it is a democracy, it should let its own people vote on their future.

Mr. Speaker, a bipartisan group of 17 Members of Congress, including myself, have written a letter to President Clinton urging him to press the Prime Minister on issues of self-determination for Khalistan, human rights, and release of political prisoners. I'd like to submit a copy of the letter into the RECORD, as well as a press release from the Council of Khalistan that sheds more light on the issue.

CONGRESS OF THE UNITED STATES,

Washington, DC, September 12, 2000.

Hon. BILL CLINTON,

President of the United States,

The White House, Washington, DC.

DEAR MR. PRESIDENT: Indian Prime Minister Atal Bihari Vajpayee will be visiting you from September 13 to September 17. It is important that you press him on the issue of the persecution of Christians, Sikhs, Muslims, and other minorities by the Indian government.

Press Trust of India reported on August 25 that a Christian priest in Gujarat was kidnapped, tortured, and paraded through town naked. This attack was not an isolated incident. Since Christmas 1998, priests have been murdered, nuns have been raped, a missionary and his two sons were burned to death in their van by members of the RSS, which is the parent organization of the ruling BJP, schools and prayer halls have been attacked and destroyed. Yet the Indian government refuses to take any action against the people who perpetrate these atrocities.

During your trip to India, 35 Sikhs were murdered in the village of Chithi Singhpora, Kashmir. The Ludhiana-based International Human Rights Organization investigated this and separately the Movement Against State Repression and the Punjab Human Rights Organization conducted an investigation. Both of these investigations have proven that the Indian government carried out this massacre. The Indian government has admitted that the five Muslims they killed on the claim that they were responsible for the massacre were innocent. Now they have arrested two more people, claiming that they were responsible for this massacre. Yet despite the fact that so-called "militant" groups almost always claim responsibility for incidents they are responsible for, nobody has emerged to claim responsibility for the killings in Chithi Singhpora.

The Politics of Genocide by Indejit Singh Jaijee reports that the Indian government has murdered more than 250,000 Sikhs since 1984. These figures were derived from figures put out by the Punjab State Magistracy. India has also killed more than 200,000 Christians in Nagaland since 1947, over 70,000 Kashmiri Muslims since 1988, and tens of thousands of Dalits, Assamese, Tamils, Manipuris, and others. According to Amnesty International, there are thousands of political prisoners being held in illegal detention without charge or trial in "the world's largest democracy."

India is a hostile country. Last year the Indian Defense Minister led a meeting with Cuba, China, Iraq, Serbia, Russia, and Libya to construct a security alliance "to stop the U.S." India openly supported the Soviet invasion of Afghanistan. It tested five nuclear warheads, beginning the nuclear arms race to South Asia. And it refuses to allow the

Sikhs, Kashmiris, Christians, and other minority nations and peoples decide their own political future in a free and fair vote, as democratic countries do. America has repeatedly granted this opportunity to Puerto Rico and Canada has permitted Quebec to do so. Why can't the "world's largest democracy" settle these issues the democratic way?

America is the bastion of freedom for the world. We cannot accept this kind of brutality and tyranny from a government that claims to be democratic. We call on you to press Prime Minister Vajpayee on the issues of human rights and self-determination for Khanistan, Christian Nagalim, Kashmir, and all the minority nations and peoples living under Indian rule.

Sincerely,

Edolphus Towns, Donald M. Payne, Wally Herger, Lincoln Diaz-Balart, Cynthia McKinney, Dan Burton, James Traficant, John T. Doolittle, James Rogan, James Oberstar, Peter King, Roscoe Bartlett, Randy "Duke" Cunningham, Eni F.H. Faleomavaega, Philip M. Crane, Ileana Ros-Lehtinen, George P. Radanovich.

[Press Release Council of Khalistan]

U.S. CONGRESS: INDIA IS A "HOSTILE COUNTRY"

LETTER URGES PRESIDENT TO PRESS INDIAN PRIME MINISTER ON SELF-DETERMINATION FOR KHALISTAN, HUMAN RIGHTS, RELEASE OF POLITICAL PRISONERS

Washington, D.C., September 13, 2000—A bipartisan group of 17 Members of the U.S. Congress have written a letter to President Clinton urging him to press Indian Prime Minister Atal Bihari Vajpayee, who arrives for a state visit today, on issues of self-determination for Khalistan, human rights, and release of political prisoners. The letter called India "a hostile country."

"We call on you to press Prime Minister Vajpayee on the issues of human rights and self-determination for Khalistan, Christian Nagalim, Kashmir, and all the minority nations and peoples living under Indian rule," the Members of Congress wrote. The Members noted the recent incident in which a priest in Gujarat was kidnapped, tortured, and dragged naked through the streets. This incident is part of a pattern of repression against Christians that has been going on since Christmas 1998, they noted. They also took note of the massacre of 35 Sikhs in Chithi Singhpora during the President's visit to India in March, which two independent investigations have proven was carried out by the Indian government. They wrote about the murders of over 250,000 Sikhs since 1984, over 70,000 Muslims since 1988, more than 200,000 Christians in Nagaland since 1947, and tens of thousands of other minorities by the Indian government. "We cannot accept this kind of brutality and tyranny from a government that claims to be democratic," they wrote.

They also wrote, "India is a hostile country. Last year the Indian Defense Minister led a meeting with Cuba, China, Iraq, Serbia, Russia, and Libya to construct a security alliance 'to stop the U.S.," they noted. They also wrote that India introduced the nuclear arms race to South Asia and that it supported the Soviet invasion of Afghanistan.

The lead sponsor of the letter was Representative Edolphus Towns (D-NY). Other co-signers include Representative Wally Herger (R-Cal.); Representative Donald M. Payne (D-NJ); Representative Lincoln Diaz-Balart (R-Fla.); Representative Cynthia McKinney (D-Ga.); Representative Roscoe Bartlett (R-Md.); Representative Dan Burton

(R-Ind.), chairman of the Government Reform and Oversight Committee; Representative Randy (Duke) Cunningham (R-Cal.); Representative James Traficant (D-Ohio); Representative Eni F.H. Faleomavaega (D-American Samoa); Representative John T. Doolittle (R-Cal.); Representative Philip M. Crane (R-Ill.); Representative James Rogan (R-Cal.); Representative Ileana Ros-Lehtinen (R-Fla.); Representative James Oberstar (D-Minn.); Representative George P. Radanovich (R-Cal.); and Representative Peter King (R-NY).

Indian security forces have murdered over 250,000 Sikhs since 1984, according to figures compiled by the Punjab State Magistracy and human-rights organizations. These figures were published in *The Politics of Genocide* by Inderjit Singh Jaijee. About 50,000 Sikh political prisoners are rotting in Indian jails without charge or trial. Many have been in illegal custody since 1984. India is in gross violation of international law. Since 1984, India has engaged in a campaign of ethnic cleansing in which about 50,000 Sikhs were murdered by the police and secretly cremated, according to Justice Ajit Singh Bains, chairman of the Punjab Human Rights Organization, in an interview broadcast on "Ankhila Punjab" radio in Toronto, Canada. The Indian Supreme Court described this campaign as "worse than a genocide."

"On behalf of half a million Sikhs in the United States, I would like to thank Congressman Towns and every Member who signed this letter," said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, the government pro tempore of Khalistan, the Sikh homeland that declared its independence from India on October 7, 1987. "We thank our friends in both parties for their support for freedom in South Asia. This letter can help focus the attention of the United States and India on the important democratic values of self-determination and human rights," he said. "The willingness of these Members of Congress to call India a hostile country also advances freedom in South Asia by helping to frustrate India's drive for hegemony in the region," he said. He predicted that "the breakup of India draws closer every day and Khalistan will be free in this decade."

#### STUDENT CONGRESSIONAL TOWN MEETING

#### HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. SANDERS. Mr. Speaker, I rise today to recognize the outstanding work done by participants in my Student Congressional Town Meeting held this summer. These participants were part of a group of high school students from around Vermont who testified about the concerns they have as teenagers, and about what they would like to see the government do regarding these concerns.

I submit these statements in the CONGRESSIONAL RECORD, as I believe that the views of these young persons will benefit my colleagues.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF HEATHER MOYLAN, GEORGE (BUD) VANA, IV AND MATTHEW JENNESS

REGARDING GENDER REQUIREMENT IN AFFIRMATIVE ACTION—MAY 26, 2000

HEATHER MOYLAN: Today we would like to propose that new legislation be introduced

regarding gender equity, legislation that would repeal any sections of affirmative action that make reference to gender in the workplace. Affirmative action is defined as actions taken to provide equal opportunities as an admission for employment for minority groups or women.

Traditionally society has dominated by the male gender. Today, however, advancements have been made for women in regards to jobs, sports and education. Affirmative action legislation and its close cousin, Title 9 have had a lot of important and beneficial progress for women in all of their endeavors. In most cases quality is already a reality. Statistics show in some cases there is a female advantage and of course there is still progress to be made. The legislation and enforcement by the government, once crucial, has run its course. The American people have become accustomed to gender equality.

States have created their own legislation. Institutions and public and private sectors have their own regulations, and in summary the law has done all that it can do. The danger now exists that the law may be abused with so-called reverse discrimination suits.

MATTHEW JENNESS: Last night I went out and I found information to back this up; with looking at the job rate between male and female and I found that the participation rate percentage was in 1948, 32 percent female and 86.9 percent male. In 1979, 50 percent female and 78 percent male, and in this year, 2000, 75 percent male and 60 percent female. So from that I figure that a 60 percent—there is a pretty good margin there, it is close, and the ten percent may be people who chose to be—females choosing to take traditional roles in the family.

GEORGE VANA, IV: I get to show you some stuff, I guess. Now this is a graph of high school attendance percentage. These are 14- and 15-year-olds. This right here is the male bar and that represents 80.2 percent attendance and this represents female attendance which is 85.6 percent, and this is I guess preliminary to what we are getting to here.

CONGRESSMAN SANDERS: So that chart shows there are more girls in high school than boys.

GEORGE VANA, IV: This is college enrollment and it is the same trend basically. 41.7 percent of 18- and 19-year-old males attend college, and I guess it is 51.3 percent of females, age 18 to 19 years old attend college. These are based on the United States Census Bureau. And then we are also going to look at male versus female education accomplishments, and you can see here that education attainment which basically signifies some degree of some sort is much, much higher nowadays within females. These are numbers in the thousands, 46,888,000 females now attain higher educational status compared to 29,343,000 males. And current college enrollment, also in the millions, is we have about 6,905,000 males in college right now as opposed to 8,641,000 females, so a gap exists now I guess and that would almost be in favor of females where affirmative action legislation many years ago served to increase these numbers.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF FALINDA HOUGH, DANIELLE MORGAN AND WENDY PRATT

REGARDING HOUSING FOR TEEN MOTHERS—MAY 26, 2000

WENDY PRATT: My name is Wendy and we are teen moms, young mothers who have a lot of problems with housing, and we would like it if we had a program for us to work through to get help with getting housing for

us. Our school put together a program called Independence and it is for single mothers with one child and I have a child and a child on the way, so that is not a program that I can link, go through because I am going to have two children, and it is just so hard for me to find someplace to stay.

DANIELLE MORGAN: I am 16 and I have an eleven-month-old son. I live at my mother's house which includes me and my son, my mother, my six-year-old little brother and my stepfather, and that is somewhere that I really do not want to be right now because one thing is that it is hard to parent when you are also being parented. I can not do what I want with my son because my parents are interfering with that. And I have been told that because of past college students and just younger people that rented apartments in Burlington, they wrecked the apartments, we are not allowed to do that anymore and I feel that is unfair to me and my friends and whoever else is going through the same things I am going through because I feel that I deserve my own space for me and my child.

There is the Lund Home and I have lived there, I lived there when I was pregnant, and I feel that is a very good program. But then when you leave there, there are some people that are ready for something more. And I will be 17 in August and I feel like I could have my own apartment and my own space to live in. I thank Lund is for a beginning process for people that need to learn more things, but I have already been there and now I am stuck. I have nowhere else to go.

FALINDA HOUGH: Actually I am in the same situation as Danielle. It is hard to live in your house where you are also being parented and your parents are trying to tell you how to raise your kid. And there should be other opportunities for us as far as the Lund Center, but you cannot go there if you have two children, so it is hard for other people to go there. And there should be more housing for us where we can live.

HON. BERNARD SANDERS IN THE HOUSE OF REPRESENTATIVES

ON BEHALF OF PAULA DUFRESNE AND KATHLEEN SHEVCHIK

REGARDING DATE/ACQUAINTANCE RAPE—MAY 26, 2000

KATHLEEN SHEVCHIK: Good morning, Congressman SANDERS, fellow students and those attending this event.

Today we come before you to express our concern about a crisis: date and acquaintance rape. After researching in depth about date and acquaintance rape, we feel a definite need for change in the near future. In our society there needs to be more awareness and knowledge available for students. There are many factors leading to rape whether it is alcohol, drugs or even Rapinol slipped into a drink, this is a serious problem needing a definite solution.

Acquaintance rape is defined as any non-consensual sexual activity between two or more people who know each other. Here are some facts. 60 percent of all rape victims know their assailants, but 92 percent of adolescent rape victims know their assailants. On college campuses one in every four women is a victim of rape. 84 percent of these women knew their assailant and 57 percent of those rapes happened on a date.

Congressman SANDERS, I will enroll as a freshman next year in college, and after this research I am scared that I could be another statistic. Date rape is about power and control, not romance and passion. Many women think it could never happen to them, but they are simply not educated enough on this issue.

What we are proposing today is the need for schools to provide more education on date and acquaintance rape. Women need to become more aware of their surroundings and situations that lead to rape. Men must be portrayed as a part of the solution, not just the source of the problem.

PAULA DUFRESNE: We think there should be an educational program nationwide. This program should inform both men and women on all aspects of date rape. We feel this program should be attended twice; once entering high school and once entering college. We feel that this program should have group discussions about when sexual activity is considered rape, how to be more assertive, and to realize that no always means no. There should also be the victims of date rape and even possibly their assailants. This program would create more awareness to everyone. It would bring so much positive to schools and even to individuals. The knowledge should be given out before the students have to use it. We strongly believe that no action will only insure that an unacceptable situation remains unchanged. In conclusion, we will leave you with the words of Katie Ripley, a college student who wrote *The Morning After*, Sex, Fear and Feminism on Campuses. "Today's definition of rape has stretched beyond bruises to threats of death or violence to involve emotional pressure and the influence of alcohol."

BLUE RIBBON SCHOOL WINNER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 2000

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Scripps Ranch High School in Scripps Ranch and its leaders, Principal, David LeMay and Superintendent, Alan Bersin. Scripps Ranch has been designated by the U.S. Department of Education as a National Blue Ribbon School for 2000. I am proud to inform my colleagues that my district had an amazing record of eleven schools selected for that prestigious honor this year. I would also like to note that the Academy of Our Lady of Peace right outside my district in San Diego County was also named a Blue Ribbon School. I applaud the educators, students and communities in each of the San Diego County schools who pulled together in pursuit of educational excellence.

Blue Ribbon Schools are recognized as some of the nation's most successful institutions, and they are exemplary models for achieving educational excellence throughout the nation. Not only have they demonstrated excellence in academic leadership, teaching and teacher development, and school curriculum, but they have demonstrated exceptional levels of community and parental involvement, high student achievement levels and strong safety and discipline.

After schools are nominated by state education agencies for the Blue Ribbon award, they undergo a rigorous review of their programs, plans and activities. That is followed with visits by educational experts for evaluation. Ultimately, those schools which best demonstrate strong leadership, clear vision and mission, excellent teaching and curriculum, policies and practices that keep the schools safe for learning, family involvement and evidence of high standards are selected

for this prestigious award. I am pleased that they are now receiving the national recognition they are due.

As school and community leaders head to Washington for the Department of Education awards ceremony, I want to thank them once again for a job well done. More satisfying than any award, these leaders will have the lifelong satisfaction of having provided the best education possible and a better future for thousands of children. I am proud of what they have achieved, and want to share their achievements so that more people benefit from their accomplishments. I ask that a summary of Scripps Ranch High School's superior work be included in the record:

Scripps Ranch High School, San Diego, California, opened in 1993, modeling its curriculum on Second to None: A Vision of the New California High School, the 1992 report from the California State Department of Education Task Force. Strong academics, modern technology, a wide variety of electives, block scheduling, advisory periods, and the integration of academic and career curricula are Second to None fundamentals and the foundation of the learning environment at Scripps Ranch High School (SRHS). An innovative and quality staff presently serves an ethnically diverse 2,063 student population.

All students participate in a 23-minute CORE (Career Opportunities, Reading, and Exhibitions) advisory period that meets two days each week. The CORE period is used to mentor students, promote school-to-career activities, and to advance literacy through reading. Staff members keep the same CORE students throughout their high school years. Because of this continual mentoring in a 25 to 1 ratio, each student has a link to a staff member who knows and cares about them and can refer them for assistance when a need arises. The heart and soul of SRHS lies in its staff. Their dedication to teaching and students is obvious to anyone who visits a classroom or attends an extracurricular event. Teachers not only sponsor clubs and coach teams, they attend and support student events and activities throughout the school year. This school began with pride in its foundations, continues to build on its reputation of excellence, and is ever ready to enhance its programs to benefit the students that it serves.

DEBT RELIEF LOCK-BOX RECONCILIATION ACT FOR FISCAL YEAR 2001

SPEECH OF

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 2000

Mr. JONES of North Carolina. Madam Speaker, I rise today to urge my colleagues to support the Debt Relief Lockbox Reconciliation Act.

According to the Department of Treasury, our national debt stands at over \$5.6 trillion. Every man, woman, and child owes \$21,000 for that debt. Even in these strong economic times, that debt remains an albatross over the prosperity of future generations. This legislation takes steps to correct that problem. It would ensure that the vast majority of the surplus is reserved for two important purposes:

(1) to ensure that the Medicare and Social Security are preserved and (2) to reduce the public debt. We have a moral obligation to uphold these principles. Not only are they critical to Americans today, but they will greatly impact American generations of tomorrow.

The bill introduced by my friend and colleague from Kentucky would reduce the publicly held debt by an additional \$240 billion in FY01 and would protect all of the Social Security and Medicare surpluses. By using 90% of the projected FY01 surplus, we are making a good-faith, common-sense effort to put an end to all publicly held debt by 2012, keeping with

the promises made when I was first elected in 1994. Instead of spending this money on more unnecessary federal programs in Washington, we are putting a real downpayment on a better future for America. I urge my colleagues to join me this week in voting that future.

## PERSONAL EXPLANATION

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. JONES of North Carolina. Mr. Speaker, last night I was meeting with constituents in North Carolina and unavoidably missed rollcall votes 477 and 478.

Had I been present, I would have voted "yes" on rollcall vote No. 477 and "yes" on rollcall vote No. 478.